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Clerk, U.S. District Court, ILCD

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IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
URBANA DIVISION

SEP 10 2014

CLERK OF THE COURT
U.S. DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

~~EULALIO L. MARTINEZ~~, DAVID)

LEE GARCIA JR., and OSCAR)

~~MARTINEZ,~~)

Defendants)

Case No. 14-CR-20035

Title 21, United States Code,
Sections 846 and 841(a)(1) &
(b)(1)(A)(ii); Title 18, United
States Code, Section 2.

m-14-1969-m-02

**SUPERSEDING
INDICTMENT**

COUNT ONE

(Attempted Possession of Cocaine with Intent to Distribute)

THE GRAND JURY CHARGES:

On or about June 20, 2014, in Vermilion County, in the Central District of Illinois,

~~EULALIO L. MARTINEZ,~~

defendant herein, knowingly attempted to possess five kilograms or more of a mixture
and substance containing cocaine, a Schedule II controlled substance, with the intent to
distribute it.

In violation of 21 U.S.C. §§ 846 and 841(a)(1) & (b)(1)(A)(ii).

COUNT TWO
(Conspiracy to Possess Cocaine with Intent to Distribute)

THE GRAND JURY CHARGES:

1. From on or about June 18, 2014, and continuing through at least June 20, 2014, in Vermilion County, in the Central District of Illinois, and elsewhere,

~~EULALIO L. MARTINEZ~~
DAVID LEE GARCIA JR., and
~~OSCAR MARTINEZ~~

defendants herein, did knowingly and intentionally conspire with each other and others, both known and unknown to the grand jury, to possess with intent to distribute and to distribute a mixture and substance containing cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1).

2. Quantity of Cocaine Involved in the Conspiracy

With respect to ~~EULALIO L. MARTINEZ~~, **DAVID LEE GARCIA JR., and** ~~OSCAR MARTINEZ~~, the amount involved in the conspiracy attributable to each of them as a result of their own conduct, and the conduct of other conspirators reasonably foreseeable to them, is more than five kilograms of a mixture and substance containing cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(A)(ii).

3. Objects of the Conspiracy

The objects of this criminal conspiracy included to obtain and transport quantities of cocaine, to distribute and reap profit from the transportation and sale of cocaine, and to do so without detection by law enforcement authorities.

4. Means and Methods of the Conspiracy

Among the means and methods by which the conspirators conducted and participated in the criminal conspiracy are the following:

a. DAVID LEE GARCIA JR. and ~~OSCAR MARTINEZ~~ agreed with each other and others, both known and unknown to the grand jury, to drive a semi-tractor trailer containing approximately 49 kilograms of cocaine from outside of Illinois to Vermilion County, Illinois; and

b. ~~FELIX L. MARTINEZ~~ agreed with others, both known and unknown to the grand jury, to meet DAVID LEE GARCIA JR. and ~~OSCAR MARTINEZ~~ at a location inside Vermilion County, Illinois, to receive the kilograms of cocaine from them, and to transport the cocaine to others.

In violation of Title 21, United States Code, Sections 846 and 841(a)(1) & (b)(1)(A)(ii), and Title 18, United States Code, Section 2.

A TRUE BILL.

FOREPERSON

J. Lewis / J. El
JAMES A. LEWIS
United States Attorney

ELM